

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:18-cv-00083

James H. Fisher,
Plaintiff,

v.

Matthew N. Madlock et al.,
Defendants.

ORDER

Plaintiff James H. Fisher, proceeding pro se and *in forma pauperis*, filed the above-styled and numbered civil-rights lawsuit pursuant to 28 U.S.C. § 1332. The case was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a report and recommendation (Doc. 77) concluding that plaintiff's claims against defendants should be dismissed for lack of subject-matter jurisdiction.

Plaintiff filed objections to the report. Doc. 79. The court reviews the objected-to portions of a magistrate judge's report and recommendation *de novo*. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The magistrate judge recommended dismissal of plaintiff's suit because the amount in controversy failed to meet the jurisdictional minimum at the time of the filing of the original complaint. 28 U.S.C. § 1332(a)–(a)(1). Plaintiff's objection to the report does not reflect that he met the amount in controversy required at the time of filing. Doc. 79.

Having reviewed the magistrate judge's report de novo and being satisfied that it contains no error, the court overrules plaintiff's objection and accepts the report's findings and recommendation. Plaintiff's claims against defendants are dismissed for lack of subject-matter jurisdiction.

So ordered by the court on January 10, 2023.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge